

House Bill 2596

Introduced and printed pursuant to House Rule 12.00. Presession filed (at the request of House Interim Committee on Judiciary)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides private entity contracting with State Forestry Department for performance of forest practice on state forestland with cause of action against person intentionally committing act hindering, impairing, obstructing or attempting to hinder, impair or obstruct private entity performance of forest practice.

A BILL FOR AN ACT

Relating to actions arising from interference with forest practices.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section:

(a) **“Access road” means a road owned or maintained by the State Forestry Department as a means of reaching the exterior boundary of state forestland.**

(b) **“Forest practice” has the meaning given that term in ORS 527.620.**

(c) **“State forestland” means:**

(A) **Forestland acquired under ORS 530.010 to 530.040; and**

(B) **Common School Forest Lands and Elliott State Forest Lands managed under ORS 530.490.**

(2) **A private entity that contracts with the State Forestry Department to perform a forest practice has a right of action for the amount of actual damages plus \$10,000 against any person that, while on state forestland or an access road, intentionally commits an act that hinders, impairs or obstructs or is an attempt to hinder, impair or obstruct, the performance of the forest practice by the private entity. A court shall award a plaintiff prevailing under this section reasonable attorney fees and costs.**

(3) **If the contract between the private entity and the department provides for the private entity to perform forest practices in a defined area of state forestland that lies in more than one county, venue for a cause of action under this section is proper in any county containing part of the area of state forestland defined by the contract terms in effect on the date the cause of action arose.**

(4) **An action under this section must be commenced within six years after the date of the act giving rise to the cause of action.**

SECTION 2. Section 1 of this 2013 Act applies to acts that a person intentionally commits or continues to intentionally commit on or after the effective date of this 2013 Act.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.